

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tileyah Williams	Team: Squad #3	CCRB Case #: 201909014	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 08/29/2019 5:00 AM	Location of Incident: Inside of § 87(2)(b)	Precinct: 75	18 Mo. SOL 2/28/2021	EO SOL 10/15/2021	
Date/Time CV Reported Wed, 10/16/2019 11:06 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 10/16/2019 11:06 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Michael Grasso	01677	938608	NARCBQS

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SDS Richard Mezzatesta	03513	930735	GANG QS

Officer(s)	Allegation	Investigator Recommendation
A.SGT Michael Grasso	Abuse: Sergeant Michael Grasso entered location.	
B.SGT Michael Grasso	Abuse: Sergeant Michael Grasso searched location.	
C.SGT Michael Grasso	Discourtesy: Sergeant Michael Grasso spoke discourteously to § 87(2)(b)	
D.SGT Michael Grasso	Discourtesy: Sergeant Michael Grasso spoke discourteously to § 87(2)(b)	
E.SGT Michael Grasso	Off. Language: Sergeant Michael Grasso made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)	
F.SGT Michael Grasso	Abuse: Sergeant Michael Grasso failed to provide § 87(2)(b) with a business card.	
G.SGT Michael Grasso	Abuse: Sergeant Michael Grasso refused to provide his name to § 87(2)(b)	

Case Summary

On October 16, 2020, § 87(2)(b) filed this complaint over the phone with the CCRB on behalf of herself, her husband § 87(2)(b) her mother-in-law § 87(2)(b) her daughter § 87(2)(b) s boyfriend § 87(2)(b) and her grandsons, § 87(2)(b) and § 87(2)(b) § 87(2)(g)

On August 29, 2019, at approximately 6:00 a.m., at least twelve NYPD officers, including Sergeant Michael Grasso and Detective Alexander Taveras of Narcotics Borough Queens and Sergeant Richard Mezzatesta of Queens Gang Squad forcefully entered § 87(2)(b) s home at § 87(2)(b) in Brooklyn pursuant to Queens County search warrant § 87(2)(b) (**Allegation A: Abuse of Authority**, § 87(2)(g) Officers then handcuffed all residents apart from § 87(2)(b) and searched the residence (**Allegation B: Abuse of Authority**, § 87(2)(g) During the search, officers allegedly damaged six bedroom doors, a dresser drawer and several closet doors. When officers learned that the subject of the search warrant, § 87(2)(b) was not at the location, § 87(2)(b) called him. Sgt. Grasso spoke to § 87(2)(b) over the phone and allegedly said, “You don’t have a dick to suck you little pussy,” and “Where you at, you little pussy?” (**Allegations C and D: Discourtesy**, § 87(2)(g) **Allegation E: Offensive language**, § 87(2)(g) When asked, Sgt. Grasso did not provide his name or business card to § 87(2)(b) (**Allegations F and G Abuse of Authority**, § 87(2)(g) After searching the premises, the officers left. No one was arrested or issued a summons.

This investigation received negative results for body-worn camera (BWC) footage regarding this incident and did not obtain any other video footage.

Findings and Recommendations

Allegation (A) Abuse of Authority: Sergeant Michael Grasso entered § 87(2)(b) in Brooklyn.

Allegation (B) Abuse of Authority: Sergeant Michael Grasso searched § 87(2)(b) in Brooklyn.

It is undisputed that on August 29, 2020, officers entered, searched and damaged property at § 87(2)(b) in Brooklyn, although the specific property that was damaged is under dispute. § 87(2)(b) is owned by § 87(2)(b) and § 87(2)(b) and they along with § 87(2)(b) and § 87(2)(b) were present during the entry. It is also undisputed that officers arrived at the location to execute a no-knock Queens County search warrant number § 87(2)(b) (01 Board Review). This warrant authorized officers to enter the location without first announcing their purpose and gave them the authority to search for controlled substances, marijuana or evidence of controlled substances. Although Det. Alexander Taveras of Narcotics Borough Queens obtained the search warrant, he was not present during its execution. Since the officers entered pursuant to a no-knock

search warrant, the damage to the two front doors is subsumed within the entry allegation and the damage to the dresser drawer, six bedroom doors and closet doors are subsumed within the search allegation.

In her testimony to the CCRB, § 87(2)(b) stated that after the officers forcefully entered and began searching the location, she could hear banging sounds throughout her home, which sounded like doors were being hit and broken. § 87(2)(b) later saw that her two front doors and each bedroom door was damaged around the locks and that every closet door was broken and had cracks (**02 Board Review**).

In her verified statement, § 87(2)(b) stated that once the officers left § 87(2)(b) saw that the two front doors were damaged around the lock and it appeared that the officers had smashed into the door. She did not see any damage to any other doors around the home. She also saw that an antique dresser drawer in § 87(2)(b)'s room appeared to have been broken because it could not be closed correctly and one of the drawers had fallen apart and the corners were detached (**03 Board Review**). In a photo provided by § 87(2)(b) the top drawer of a white dresser appears not fully closed in misalignment with the other drawers (**04 Board Review**). No other photos of the alleged property damage were provided to the investigation.

In his phone statement, § 87(2)(b) indicated that he did not remember if the officers damaged any property in his house but believed that they may have broken some doors in the house. At the time of his statement, any damages that resulted of the search had already been repaired (**05 Board Review**).

The CCRB attempted to contact § 87(2)(b) who remained unavailable (**06 Board Review**). § 87(2)(g), § 87(2)(b)

§ 87(2)(g), § 87(2)(b)

§ 87(2)(g), § 87(2)(b)

§ 87(2)(g), § 87(2)(b)

§ 87(2)(g), § 87(2)(b)

§ 87(2)(g), § 87(2)(b)

Sgt. Grasso testified that he and other officers of his command executed a search warrant obtained by Det. Taveras. He was initially assigned to supervise the execution of the warrant but when he arrived at the location, he was assigned as rear security, while Captain Charles Campisi of the Queens Gang Squad supervised. He did not see how officers initially entered or searched the home because he stood outside. When Sgt. Grasso was informed that the location was secure, he entered the living room of the home and saw that the civilians were handcuffed and sitting in the living room. Sgt. Grasso that he did not enter any other rooms in the home. Sgt. Grasso knew that officers searched the home because they had a search warrant to do so, but he did not search the home and did not witness other officers doing so. He was not made aware of any property damage at the location (**07 Board Review**).

Sgt. Mezzatesta stated that the sole purpose of his arrival on the scene was to supervise his team in gaining entry to the location. He recalled that there were two front doors at the

Allegation (C) Discourtesy: Sergeant Michael Grasso spoke discourteously to § 87(2)(b)

Allegation (D) Discourtesy: Sergeant Michael Grasso spoke discourteously to § 87(2)(b)

Allegation (E) Offensive language: Sergeant Michael Grasso made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)

Testimonies provided by § 87(2)(b) and Sgt. Mezzetesta, along with Sgt. Grasso's MOS photo have led the investigation to determine that Sgt. Grasso was in charge of the search warrant. He is the same officer who § 87(2)(b) and § 87(2)(b) described as being the subject of these allegations.

§ 87(2)(b) testified that when § 87(2)(b) called § 87(2)(b) she gave the phone to Sgt. Grasso. § 87(2)(b) heard § 87(2)(b) shout into the phone and say that he did not live at the residence before disconnecting the line **(02 Board Review)**.

§ 87(2)(b)'s testimony was consistent with that of § 87(2)(b) with the following exceptions: Sgt. Grasso instructed her to call § 87(2)(b) and when she did, she asked him to come to the residence. Sgt. Grasso then asked to speak to § 87(2)(b) and asked him where he was. § 87(2)(b) heard § 87(2)(b) tell Sgt. Grasso, "Suck my dick", to which Sgt. Grasso replied, "You don't have a dick to suck you little pussy. Where are you at you little pussy?". Sgt. Grasso told § 87(2)(b) that he was not leaving until § 87(2)(b) got there. § 87(2)(b) then told Sgt. Grasso to leave his girlfriend alone and that he was not arriving at the location and disconnected the line. **(03 Board Review)**.

§ 87(2)(b) stated that Sgt. Grasso told § 87(2)(b) that he was looking for him over the phone, but he could not recall what else was said and only remembered that both Sgt. Grasso and § 87(2)(b) were yelling at each other over the phone **(05 Board Review)**.

Sgt. Grasso testified that once he checked with each of the civilians and realized that § 87(2)(b) was not there, he asked § 87(2)(b) where he was, and she did not know. § 87(2)(b) then offered to call § 87(2)(b) and did so. § 87(2)(b) told § 87(2)(b) to go to her home and surrender himself because the police were looking for him, but § 87(2)(b) refused. Sgt. Grasso did not speak to § 87(2)(b) and stated that doing so would be inconducive to the investigation. Sgt. Grasso heard § 87(2)(b) tell officers, "Go fuck yourselves," through the phone, but he did not respond. Sgt. Grasso denied saying, "You don't have a dick to suck, you little pussy," and "Where you at you little pussy". He also did not hear § 87(2)(b) say, "Suck my dick" **(07 Board Review)**.

Sgt. Mezzetesta did not witness Sgt. Grasso interacting with civilians. He did not see Sgt. Grasso make any phone calls or hear him instruct civilians to call § 87(2)(b). He did not hear Sgt. Grasso or any other officer ask someone on the phone about their whereabouts nor did he hear any officer make the alleged statements **(08 Board Review)**.

§ 87(2)(g)

Allegation (F) Abuse of Authority: Sergeant Michael Grasso failed to provide § 87(2)(b) with a business card.

Allegation (G) Abuse of Authority: Sergeant Michael Grasso refused to provide his name to § 87(2)(b)

§ 87(2)(b) stated that during the search she asked Sgt. Grasso once for his name and he informed her that he would provide her with his business card at the end of the incident, but ultimately did not (**03 Board Review**).

§ 87(2)(b) testified that none of the officers provided a business card to any of the residents in the home and that no one asked officers for a business card because they were too scared (**02 Board Review**).

§ 87(2)(b) did not mention anything about residents asking for officers' names or officers' refusing this request (**05 Board Review**).

Sgt. Grasso testified that when § 87(2)(b) told him that she did not know where § 87(2)(b) was, he handed her his business card and told her to call him if she learned of his location. He further noted that once § 87(2)(b) was off the phone with § 87(2)(b) he told her again to call his number on the card if § 87(2)(b) ever decided to surrender himself (**07 Board Review**).

Sgt. Mezzetesta testified that he did not witness any interactions between Sgt. Grasso and the residents (**08 Board Review**).

§ 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one other CCRB complaint and has been named a victim in one allegation. § 87(2)(b) (**13 Board Review**).

- This is the first complaint to which § 87(2)(b) Cellavos, § 87(2)(b) and § 87(2)(b) have been parties (**14 Board Review**).
- Sgt. Grasso has been a member of service for fifteen years and has been a subject in one other CCRB complaint and one allegation, which was not substantiated.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
[REDACTED]
- According to the New York City Comptroller, § 87(2)(b) filed a Notice of Claim with the City of New York on § 87(2)(b), claiming an illegal entry and search of a dwelling; false imprisonment; emotional injury; destruction and confiscation of property; racial discrimination; intentional infliction or severe mental and emotional distress; employee negligence; negligent hiring, training, supervision, discipline; and retention of employment services amounting to a policy, practice of custom of deliberate indifference to a civil and constitutional rights, and violation of civil rights and immunities secured by the constitution and laws of the United States and of the State of New York (**16 Board Review**). A 50H hearing has not yet been scheduled regarding this claim.

Squad No.: 3

Investigator:	<u>Tileyah Williams</u>	<u>Investigator Tileyah Williams</u>	<u>11/18/2020</u>
	Signature	Print Title & Name	Date

Squad Leader:	<u>Olga Golub</u>	<u>SL Olga Golub</u>	<u>11/18/2020</u>
	Signature	Print Title & Name	Date

Reviewer:	<u></u>	<u></u>	<u></u>
	Signature	Print Title & Name	Date